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MATT KUNTZ

LOOKING  
FOR ANSWERS  
THROUGH  
DIRTY GLASSES



FINDING THE DIVINE  
IN A CHALLENGING WORLD

## Jesus and the Death Penalty

At our last legislative session, I spent a morning in the Montana Senate Judiciary Committee's hearing on a bill to abolish the death penalty. I was testifying in favor of the bill on behalf of NAMI Montana members who live with serious mental illnesses and their families.

The Catholic Churches, the Assembly of God, and the Montana Association of Churches also spoke up in favor of the bill. It's always nice to be on the same side as your congregation, and fortunately with this job, I usually am.

When the opponents got up to testify, two preachers stated point blank that anyone who was against the death penalty was not a Christian. One of the preachers pulled out his Bible to demonstrate evidence for his point.

The preacher cited Jesus' statement in Matthew 15:4, "Whoever curses father or mother shall die," as proof that Jesus was an advocate for the death penalty. In that passage, Jesus is restating the Mosaic Law described in Leviticus 20:9, "And he that curseth his father, or his mother, shall surely be put to death."

The preacher waved his Bible and made it very clear that professed Christians who did not follow Jesus' will on the death penalty were hypocrites. It was a powerful allegation, if true; but if it were true, then why would the preacher use that passage of the Bible to illustrate his point?

In that passage, the Pharisees were ridiculing Jesus' followers for breaking Hebraic law when they did not wash their hands before a meal. Jesus brought up a law from Leviticus that the Pharisees ignored as a rhetorical tool to defend against the Pharisees' charges. (Matthew 15:2). If the passage were actually a defense of putting people to death, why would Jesus conclude it with the unrelated statement that "to eat with unwashed hands does not defile" (Matthew 15:20)?

If someone reading the Bible wanted to interpret Jesus' attitude toward the death penalty, couldn't they just go directly to John 8:3-11, where Jesus was asked to sentence a woman to death for adultery? In this instance, there was no doubt that the woman was guilty or that Mosaic law required her to be put to death by stoning.

If Jesus was a firm believer in the death penalty, he would have been the first one to throw a stone. This action would have been recorded in the Bible, and it would have made it clear to his

followers throughout history that there was no doubt that Jesus stood on the side of capital punishment.

Jesus reached down to the ground, but he did not grab a stone. Instead, Jesus took his finger and began drawing in the dirt.

The scribes and the Pharisees who had dragged the woman before Jesus continued to call for his judgment against her.

Jesus “straightened up and said to them, ‘Let the one among you who is without sin be the first one to throw a stone at her’” (John 8:7). After saying this, he bent down and began writing on the ground again.

Eventually all of the woman’s accusers left, leaving just her and Jesus.

Then Jesus straightened up and said to her, “Woman, where are they? Has no one condemned you?”

She replied, “No one, sir.”

Then Jesus said, “Neither do I condemn you. Go [and] from now on do not sin anymore.”

There are some strong arguments in favor of the death penalty. No one with a heart who has listened to the testimonies of victims’ families could deny that. But the argument that “our government should put criminals to death because Jesus wants us to” is thoroughly debunked by John 8:3–11.

The broader lesson is that we need to be personally responsible for studying our faith. We cannot outsource our spiritual journey to a pastor, priest, rabbi, imam, or other religious leader. They can be critical tools in our spiritual development, but we will be held responsible if we let them lead us astray.





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## 13 Men Condemned to Die Despite Severe Mental Illness

*If juveniles and intellectually disabled people are ineligible for execution, why not paranoid schizophrenics?*

By [Marc Bookman \(/authors/marc-bookman\)](#) | Tue Feb. 12, 2013 3:02 AM PST

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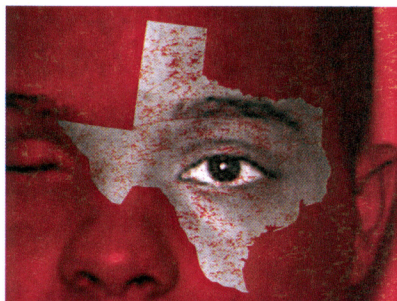
Just how crazy must a person be to be ruled incompetent for execution in the United States? Being profoundly mentally ill is not enough. You have to be deemed legally "insane."

At trial, the insanity defense generally hinges on a person's inability to distinguish right from wrong or understand the "nature and quality" of his act. In the context of an impending execution, insanity means you cannot rationally comprehend that you are being put to death as a consequence of the crime you committed.

In 2005, a Texas jury found that Andre Thomas, the subject of my in-depth companion piece (see box below), was not insane at the time of his crime.

To put this in context, consider that Thomas was then, and still is, a delusional paranoid schizophrenic who hears voices—from God, he believes—telling him to do things. He carved out the organs of his four-year-old son, his estranged wife, and her 13-month-old daughter, and took them home in his pockets, believing that this would kill the demons inside them. In the days following his arrest, he insisted to a jailhouse nurse that his victims were still alive. And that's not even the weirdest part of the story.

Thomas' case is on appeal in federal court, and as it stands, the courts cannot even address the question of whether he is competent to be executed until he is about to be. But should someone as obviously crazy as Andre Thomas be facing execution at all? Over the past decade, US courts have barred the death penalty for the intellectually disabled and for juveniles—the Supreme Court found that they



(<http://www.motherjones.com/politics/2013/02/andre-thomas-death-penalty-mental-illness-texas?page=2>)

**Read Marc Bookman's essay: "How Crazy Is Too Crazy to Be Executed?"**

(<http://www.motherjones.com/politics/2013/02/andre-thomas-death-penalty-mental-illness-texas>). " (Or listen to actor Mike Farrell read it.)



have less culpability due to their lower mental functioning and immaturity. Many legal observers believe that barring the death penalty for the severely mentally ill, given their dissociation from reality, is the next frontier in capital jurisprudence.

Over the years, governors from both parties have seen fit to commute the death sentences of profoundly mentally ill prisoners, even in conservative states. But authorities in Texas have shown little mercy: The state Board of Pardons and Paroles has recommended clemency based on mental illness in only one case since 1977, when the death penalty came back into use (see Kelsey Patterson below)—and Gov. Rick Perry denied it.

Patterson is hardly an anomaly, though. Here is a sampling of 13 capital cases in Texas and elsewhere that beg the question: How crazy is too crazy for the ultimate punishment?

**Name:** Johnny Frank

**Garrett**

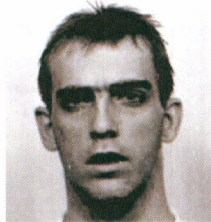
**State:** Texas

**Crime:** Fatally stabbed a nun in 1981

**Punishment:** Executed in 1992

**Diagnosis:** Garrett was a paranoid schizophrenic who firmly believed that lethal injection could not kill him, and that supernatural

intervention by his long-dead aunt would counteract the poisons. Even Pope John Paul II called for clemency, but Garrett was put to death nonetheless.



**Garrett**

**Name:** Larry Keith Robison

**State:** Texas

**Crime:** Fatally shot and stabbed five people in 1982

**Punishment:** Executed in 2000

**Diagnosis:** A paranoid schizophrenic, Robison began hearing voices and acting strangely as a teenager, and he claimed to have secret paranormal mental powers and the ability to read people's minds and move objects from a distance. He described voices in his head, which came through the clocks in his room, spewing out warnings about Old Testament prophecies of the Apocalypse. Robison interpreted this as a message that he had to liberate as many souls as possible before the liberation of his own. His parents sought help for their son (<http://www.amnesty.org/en/library/asset/AMR51/107/1999/en/02f7373e-e0f8-11dd-be39-2d4003be4450/amr511071999en.html>), warning mental-health authorities of Larry's erratic and increasingly aggressive behavior, but were told that the state could offer him no resources unless he turned violent.



**Robison**

**Name:** Monty Allen Delk

**State:** Texas

**Crime:** Killed a man in 1986

**Punishment:** Executed in 2002

**Diagnosis:** Prison mental-health staffers first diagnosed Delk as bipolar and later decided that he was malingering



**Delk**



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(<http://www.txexecutions.org/reports/261.asp>). While in prison, Delk behaved delusionally and claimed to be the president of Kenya and a submarine commander. Asked if he had any last words, he replied, "I am the warden. Get your warden off this gurney and shut up...You are not in America. This is the island of Barbados, people will see you doing this."

**Name:** James Blake Colburn

**State:** Texas

**Crime:** Tried to rape, and then killed a woman he saw hitchhiking in 1994

**Punishment:** Executed in 2003

**Diagnosis:** Colburn was diagnosed as a paranoid schizophrenic (<http://www.txexecutions.org/reports/301.asp>) at age 17. He was so doped up on anti-psychotic drugs at his trial, appeals lawyers noted, that he snored loudly through his trial—and when he was not medicated, he consumed his own bodily wastes.



Colburn

**Name:** Kelsey Patterson

**State:** Texas

**Crime:** Randomly shot two people in 1992

**Punishment:** Executed in 2004

**Diagnosis:** Patterson was a paranoid schizophrenic who claimed he was controlled by an electronic implant. After fatally shooting a businessman and his secretary for no apparent reason

(<http://www.deathpenaltyinfo.org/node/1141>), he went



Patterson

home, stripped to his socks and walked around

naked in the streets until the police picked him up. "What are we doing here?" a federal judge

reportedly asked (<http://www.deathpenaltyinfo.org/node/1141>) the state's attorney general during an

appeal of Patterson's death sentence. "This is a very sick man." Patterson was the first and only

modern-day case in which the Texas Board of Pardons and Parole has recommended that the

governor commute a death sentence based on mental illness, but Gov. Rick Perry denied him

clemency. Asked for a final statement, Patterson said: "Statement to what. State what. I am not

guilty of the charge of capital murder. Steal me and my family's money. My truth will always be my

truth. There is no kin and no friend; no fear what you do to me. No kin to you undertaker.

Murderer...Get my money. Give me my rights. Give me my rights. Give me my rights. Give me my life back."

**Name:** Scott Louis Panetti

**State:** Texas

**Crime:** Killed his parents-in-law in 1992

**Punishment:** Awaiting execution

**Diagnosis:** Schizophrenia and manic depression

([http://www.amnesty.org/en/library/asset/AMR51/011/2004/en/dc42106e-d644-11dd-](http://www.amnesty.org/en/library/asset/AMR51/011/2004/en/dc42106e-d644-11dd-ab95-a13b602c0642/amr510112004en.html)

[ab95-a13b602c0642/amr510112004en.html](http://www.amnesty.org/en/library/asset/AMR51/011/2004/en/dc42106e-d644-11dd-ab95-a13b602c0642/amr510112004en.html)). Before he was arrested for capital

murder, Panetti had been hospitalized for mental illness on 14 occasions. At

trial he represented himself clad in a purple cowboy suit. As evidence of his

delusional nature, he said he wanted to subpoena Jesus, JFK, and the Pope

(<http://www.nytimes.com/2006/06/02/us/02execute.html>).



Panetti

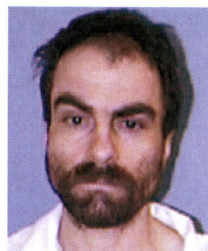
**Name:** Steven Staley

**State:** Texas

**Crime:** Killed a hostage in a failed robbery in 1989

**Punishment:** Execution stayed in 2012

**Diagnosis:** Paranoid schizophrenic. In a story for *Slate*, legal reporter Emily Bazelon lays out Staley's case history (<http://>



Staley  
DeathPenaltyInfo.org



[http://www.slate.com/articles/news\\_and\\_politics/crime/2012/05/the\\_execution\\_of\\_steven\\_staley\\_forcible\\_medication\\_on\\_death\\_row\\_in\\_texas.html](http://www.slate.com/articles/news_and_politics/crime/2012/05/the_execution_of_steven_staley_forcible_medication_on_death_row_in_texas.html)): His mentally ill mother tried to pound a wooden stake through his chest when he was seven. He tried to kill himself as a teenager. According to doctors who have evaluated him on death row, he has "grandiose and paranoid" delusions, believing, for example, that he invented the first car and marketed a character from *Star Trek*. He also wets himself and smears his feces around the cell. In 2006, after a judge deemed him incompetent for execution, prosecutors sought to have him forcibly medicated so that they could establish his competence. A state court then stayed Staley's sentence last year without ruling on the legality of using forced medication for this purpose.

## OTHER STATES

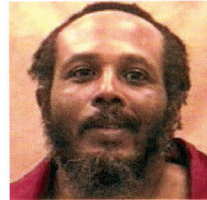
**Name:** Guy Tobias LeGrande

**State:** North Carolina

**Crime:** Killing for hire in 1993

**Punishment:** Sentenced to death; deemed incompetent in 2008

**Diagnosis:** LeGrande, who was diagnosed with a delusional disorder, killed the wife of a man who paid him to do it. He believed could communicate with Oprah through his television, and represented himself at trial wearing a Superman T-shirt. He also cursed his jury and called them "Antichrists." A state court found him incompetent to be executed. He remains in prison.



LeGrande

**Name:** George Emil Banks

**State:** Pennsylvania

**Crime:** Killed 13 people in a shooting spree in 1982

**Punishment:** Sentenced to death; deemed incompetent in 2010

**Diagnosis:** Banks, who suffered from a psychotic disorder and thought the government was trying to poison him, believed he was exempt from the death penalty and that his death sentences had been vacated by God, Jesus, and then-president George W. Bush. In May 2010, a lower court deemed him incompetent to be executed. The decision was affirmed by the Pennsylvania Supreme Court in 2011. Banks remains on death row, however.



Banks

**Name:** Calvin Eugene Swann

**State:** Virginia

**Crime:** Killed a man during a robbery in 1992

**Punishment:** Death sentence commuted in 1999

**Diagnosis:** In his late teens, Swann began talking to animals and speaking in numbers, which led his parents to commit him to a mental institution, the start of a lifetime spent shuffling between institutions and prisons. On the days leading up to his execution, Swann's only concern seemed to be money for cigarettes. In the end, Gov. Jim Gilmore commuted his sentence to life without parole—which wasn't a sentencing option at the time of his trial—and quoted prison officials saying Swann's behavior on death row was "nothing short of bizarre and totally devoid of rationality." When Swann's lawyers told him the good news, according to the *Washington Post*, the prisoner appeared not to understand. He merely asked for a cigarette (<http://www.washingtonpost.com/wp-srv/local/daily/may99/swann13.htm>).



Swann AP

**Name:** Alexander E. Williams

**State:** Georgia

**Crime:** Kidnapped, raped, and killed a teenage girl in Georgia in 1986

**Punishment:** Death sentence commuted in 2002

**Diagnosis:** A paranoid schizophrenic, Williams saw little men in his cell, talked to animals, and thought Sigourney Weaver was God. The Georgia Pardons and Parole Board commuted his sentence (<http://www.internationaljusticeproject.org/juvAWilliams.cfm>) to life without parole.





Nine months later, he hung himself in his cell at the state prison.

**Williams**

**Name:** Arthur Paul Baird II

**State:** Indiana

**Crime:** Killed his wife and parents in Indiana in 1985

**Punishment:** Death sentence commuted in 2005

**Diagnosis:** Baird had a long history of mental illness. He claimed he had solved the nation's debt and was owed a \$1 million reward from the government, and that God would turn back time and bring his wife and parents back to life. In commuting Baird's sentence, Gov. Mitch Daniels recognized the severity (<http://www.nlada.org/DMS/Documents/1125593353.13/508300433>) of the prisoner's mental illness, noting that, had the option been available, the jury would have imposed life without parole instead of a death sentence.



**Baird**

**Name:** Percy Levar Walton

**State:** Virginia

**Crime:** Killed three people in 1996

**Punishment:** Death sentence commuted in 2008

**Diagnosis:** Walton, a schizophrenic, began exhibiting signs of psychosis during adolescence. In the months following his crime he sat in his cell and in court smiling, laughing, and rocking back and forth. He would say he was Superman and Jesus, and that the Bible was written about him. He believed that his execution would bring him, his grandfather, and his victims back to life. Recognizing that Walton was "seriously mentally impaired," Gov. Tim Kaine commuted (<http://www.internationaljusticeproject.org/illnessPWalton.cfm>) his sentence to life without parole.



**Walton**

11

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Marc Bookman, a death penalty lawyer and longtime writer, runs the nonprofit Atlantic Center for Capital Representation (<http://www.atlanticcenter.org>) in Philadelphia. He can be reached at [mbookman@atlanticcenter.org](mailto:mbookman@atlanticcenter.org).

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